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By:

Date: July 21, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No.

10/076,978

Confirmation No.:

1405

Inventor

Edward Sax et al.

Filed

February 15, 2002

Title

Fence Construction System for Building a Fence with a Wall Appearance

and Characteristics and Method for Building such a Fence

TC/A.U.

3679

Examiner

Ryan M. Flandro

Customer No.:

24131

Hon. Commissioner for Patents Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.98

Sir:

In accordance with 37 C.F.R. 1.98, copies of the following patents and/or publications are submitted herewith:

U.S. Patent No. 355,135 (Bunch) dated December 28, 1886;

U.S. Patent No. 3,086,273 (Welborn), dated April 23, 1963;

U.S. Patent No. 4,029,037 (Hogan), dated June 14, 1977;

U.S. Patent No. 4,031,285 (Miller et al.), dated June 21, 1977;

U.S. Patent No. 4,903,446 (Richards et al.), dated February 27, 1990;

02/22/2000 08/23/17 00000002 12/05/2 000/25/2

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\*Application No. 10/076,978 \*IDS dated 7/21/04

U.S. Patent No. 6,299,679 B1 (Montoya), dated October 9, 2001;

U.S. Patent No. 6,355,333 B1 (Waggoner et al.), dated March 12, 2002;

International Search Report, dated June 9, 2004.

In accordance with 37 C.F.R. 1.97(e) the undersigned herewith states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement.

If a processing fee for this IDS is required, the Office is hereby authorized to charge the fee of \$180.00 to counsel's deposit account No. 12-1099.

Respectfully submitted,

LAURENCE A. GREENBERG REG. NO. 29,308

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Date: July 21, 2004

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